

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA BARBARA AMENDING TITLE 22 OF THE SANTA BARBARA MUNICIPAL CODE IN ORDER TO AMEND CHAPTER 22.90 PERTAINING TO THE EXTENT OF THE REVISED SLIDE MASS C AREA COVERED BY THE CITY'S 1997 CONEJO SLIDE AREA ORDINANCE IN ORDER TO REDUCE THE AREA OF SLIDE MASS C IN ACCORDANCE WITH NEW GEOLOGICAL INFORMATION AND TO ALLOW CERTAIN LIMITED NEW NON-HABITABLE IMPROVEMENTS AND HISTORIC RESOURCES TO BE BUILT UNDER CERTAIN CIRCUMSTANCES.

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION ONE: Section 22.90.040 of Chapter 22.90 of Title 22 of the Santa Barbara Municipal Code is amended to add a new subparagraph F which reads as follows:

F. NON-HABITABLE IMPROVEMENTS. Non-habitable building improvements may be constructed within twenty-five (25) feet of the Slide Mass C boundary but not closer than ten (10) feet. For the purposes of this subparagraph, non-habitable improvements shall include walkways, retaining and non-retaining walls, driveway paving, portable storage sheds, and other non habitable improvements as deemed appropriate by the Chief Building Official. However, septic systems, building sewers, sewer laterals, water piping, and landscaping sprinklers remain prohibited when within the 25 feet of the boundary of Slide Mass C.

SECTION TWO: Section 22.90.045 of Chapter 22.90 of Title 22 of the Santa Barbara Municipal Code is amended to read as follows:

Section 22.90.045 Map of the Conejo Slide Area.

The Map of the Conejo Slide Area, as depicted in the Grover-Hollinsworth Geotechnical Report dated May 29, 2009 and dated November 6, 1997 and depicting the parcels of real property that are located entirely or partially within the boundary of Slide Mass C of the Conejo Slide Area is hereby amended to be consistent with the boundaries described in above-referenced Report. The City Clerk and the Chief of Building and Safety shall each keep a copy of the Map of the Conejo Slide Area and a full copy of the May 29, 2009 Grover-Hollinsworth Geotechnical Report on file as received by the City. An facsimile

example of such map shall be reproduced and codified with this section as an exhibit to this section.

SECTION THREE: Chapter 22.90 of Title 22 of the Santa Barbara Municipal Code is hereby amended to add a new section, section 22.90.080, which reads as follows:

Section 22.90.080 Special Geological Provisions.

Those residential structures identified in the report dated December 17, 2009 prepared by Frank J. Kenton for the City's Chief Building Official (hereinafter the "2009 Kenton Report") which are listed as being appropriate for reconstruction may be reconstructed by their owners in the manner consistent with the recommendations contained with 2009 Kenton Report including, specifically, the applicable construction recommendations contained in the Grover Hollingsworth and Associates, Inc., report dated May 29, 2009 both of which reports shall be on file with the City Clerk.

SECTION FOUR: Section 22.22.70 of Chapter 22.22 of the Santa Barbara Municipal Code is hereby amended to add a new subparagraph, subparagraph B, "Reconstruction of Historic Resources within the Conejo Slide Area," which reads as follows:

A. PRESERVATION OF LANDMARKS AND STRUCTURES OF MERIT.

Every Landmark and Structure of Merit shall be maintained in good repair by the owner thereof, or such other person or persons who may have the legal custody and control thereof, in order to preserve it against decay and deterioration. Nothing in this chapter shall be construed so as to prohibit ordinary and necessary maintenance and repair of a Landmark provided that whenever such repair or maintenance would result in an alteration to the exterior of the structure or whenever it would require the issuance of a City building permit, the issuance of such a permit shall be reviewed by the Commission and, if necessary, conditioned in accordance with the requirements of this Chapter, provided that such review shall be consistent with the Landmark alteration review authority granted by Section 817(c) of the City Charter and Section 22.22.080 hereof. Every Landmark or Structure of Merit is hereby determined to be eligible for application of alternative standards for historical structures as provided in the California Building Code as adopted and amended by the City.

B. RECONSTRUCTION OF HISTORIC RESOURCES WITHIN THE CONEJO SLIDE AREA. Designated City Historic Resources located within the Slide Mass C Area may be reconstructed in accordance with the latest edition of the Historical Building Code as adopted by the State of California as amended by the City of Santa Barbara provided that such reconstruction is accomplished as follows:

1. in a manner which follows the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995) and;

2. in a manner consistent with appropriate historic design review where design approval is obtained from the City's Historic Landmarks Commission as required by Santa Barbara Municipal Code sections 22.22.080 and 22.22.090, and ;

3. the structure constituting the Historic Resource is never expanded in size except for a one-time expansion not to exceed one hundred and fifty (150) net square feet provided that such expansion is first reviewed and approved by the City Historic Landmarks Commission.